



FINAL MINUTES

CITY OF SEASIDE
PLANNING COMMISSION

REGULAR MEETING
COUNCIL CHAMBER

Wednesday, August 14, 2019
7:00 PM

1. CALL TO ORDER

Chair Owens called the meeting to order at 7:00 PM

2. ROLL CALL - ESTABLISHMENT OF QUORUM

3. PLANNING COMMISSION

PRESENT: Owens, Spalletta, Evans, Silva, Dodson, La Mica
ABSENT: Ross

4. REVIEW OF AGENDA

No changes

5. PUBLIC COMMENT

None

6. APPROVAL OF MINUTES

None

7. BUSINESS ITEMS

A. USE PERMIT NO. UP-16-07: SAC WIRELESS ON BEHALF OF VERIZON WIRELESS IS REQUESTING THE APPROVAL OF A MASTER USE PERMIT FOR THE INSTALLATION OF FOUR SMALL CELL WIRELESS FACILITIES ON UTILITY POLES NEAR THE FOLLOWING LOCATIONS:

1101 BUENA STREET

1108 SAN LUCAS STREET

1431 WARING STREET

1268 YOSEMITE STREET

ITEM CONTINUED FROM JULY 24, 2019 PLANNING COMMISSION MEETING.

Senior Planner Rick Medina presented recapping the previous meeting discussion regarding the four proposed Verizon wireless cell sites. He detailed Verizon's existing and proposed site plans, omnidirectional antennas, location maps, cross arm alignments, project history, previous related projects, code, and staff recommendation and the Commission direction from the previous meeting that was incorporated into the

proposed resolution before the Commission for adoption. The Verizon representative briefly spoke.

Chair Owens invited comments from the public.

Chair Owens invited public comment.

- Walt Ferguson stated the proposed cell tower notice didn't give proper contact information; encouraged improvement to current cell towers instead, and expressed concern about health impacts of residents.
- Peter Kaiser disagrees with the need for more cell towers, said Verizon cell sites are bad for health due to emissions, he disagrees with placing them closed to schools.
- Emily Greene is fearful of the impacts from the radiation from the cell site in her backyard.
- Wendy Voorkepper expressed concern about housing values, health effects, and the FCC conspiring.
- Clara Greene also expressed concern over housing values, disagreed with the need and appearance and questioned why similar projects were rejected in surrounding cities.
- Alexander Corish was concerned about noticing of this project and disagreed with the need of the project.
- Raquel Sonter implored Verizon to put utilities underground and away from homes.
- Rachael Kristofensen wanted conclusive answers to health issues surrounding RF emissions and believes the public's safety is being overlooked and harmed.
- Vicky Tacket was distressed about having cell towers on Waring Street, having housing values drop, and why other areas banned similar projects.
- Nina Beatty expressed fear of the RF emissions, changes to housing values, visual impacts, and violations of FCC law, fire hazards, and her ability to travel due to health concerns surrounding the cell tower radiation.
- Bill Tackett – He referred to the August 9th, US Appeals Court ruling regarding speed of the process, regulation concerns, and also expressed concern about health effects.
- Vivian Xiao disliked the proximity of the tower to her property and that the health impacts to her family and children at the adjoining playground concern her.
- Julie Callahan expressed concern about the public noticing about health impacts to residents.
- George Solomon was concerned about lack of noticing, health effects, the location being next to a school, lack of research, and thinks we should not allow project until we know more about the potential health impacts.
- Angela Coorch expressed concern for children's health, cell towers should not be near schools and feels that Verizon is just trying to make money off of Seaside with the project.
- Mark Watson was concerned about noticing, the school children, pollinators, negative health impacts, precedent setting, and declining property values.
- Michael Campos claimed PG&E smart meters cause health issues and believes cell towers could potentially do worse. He asked if Seaside is paid for the cell towers.
- Mark Madison had health concerns about the towers. He believes the commission is acting in a short-sighted manner.
- Jeanne Garrara was concerned about health effects, property values, and thinks that FCC is untrustworthy.
- Anthony Fry expressed concerns about cell towers at schools and emissions on

health.

- Wendy Ferguson expressed concern about precedent and that more cell companies will want to build in the city.
 - Grace did not think these towers will benefit anyone.
 - Isaac Castillo expressed his coverage is fine and is against the towers due to health concerns and that more research is needed.
- Chair Owens closed public comment.

Senior Planner Medina answered questions posed during public comment. He clarified that the project was legally noticed for a public hearing, that the City was not receiving any payment or rent for the cell towers and he explained the legally required expedited public review process and that the Commission cannot make decisions based on health claims due to the law. On question, he said that any changes to the approvals require a new public hearing, including upgrades to 5G. He also clarified that the school district headquarters were notified.

Mr. Medina then answered questions from the Commission. The Commission questioned the public noticing process, why health impacts can't be used as a decisional factor, CEQA exemptions, why other cities rejected proposals, the possibility of future undergrounding of the utilities and the process if the action is appealed to the City Council. The Commission encouraged staff to provide statistics about the impacts to housing values as it relates to cell towers available to the Council should it be appealed. Community Development Director Stearns reminded the Commission that the agenda action was to ensure that the resolution reflects what the Commission directed at the last meeting, not to reconsider the project.

Chair Owens requested to add a requirement that Verizon pay for a third party to conduct testing and report on RF emissions quarterly. After discussion, the Commission also requested to add any modifications made to the site would have to be approved by the Planning Commission.

On motion by Commissioner Evans and seconded by Commissioner Silva and passed by the following vote, the Planning Commission approved UP 16-07 with amendments to add requirements to restrict the application to no more than 4G, as well as hiring a third party to do measurements of RF emissions quarterly.

APPROVED 6-0-1, Ross absent.

Chair Owens called for a recess.

B. FENCE EXCEPTION APPLICATION NO. FE-19-02: DARYL CHOATES, APPLICANT AND PROPERTY OWNER, HAS APPLIED FOR A FENCE EXCEPTION TO ALLOW AN AS-BUILT PORTION OF THE SIDE FENCE ON THE WESTERN PROPERTY LINE TO EXCEED THE MAXIMUM HEIGHT OF SIX FEET LOCATED AT 4835 PENINSULA POINT DRIVE IN THE RS-8 ZONING DISTRICT APN # 031-232-013). THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES, CLASS 1, SECTION 15301(A).

Chair Owens reconvened the meeting. Both Commissioners Silva and Evans recused themselves to avoid any conflicts of interest. Senior Planner Medina presented the

details of the fence exception application explaining that the site has a built section of fence up to 8 feet in order to stop wind from entering the back yard; the other sections of the fence are 6 ft. He further explained that the fence was not a solid structure but wire mesh covering one side to break up the wind, and is not visible from the street or public right-of-way. The home owners association submitted a written letter opposing the fence exception; no other public comments were received.

Chair Owens invited comment from the applicant.

- Applicant Daryl Choates reiterated the fence was designed to block wind and that there was only one complaint from HOA, but if approved, there will be no enforcement by the HOA.

Chair Owens invited public comments and had no requests to speak.

The Commission discussed the HOA rules and CC&Rs, the current code as it pertains to fence heights, if any neighbors submitted comments, to which the Building official did receive a complaint and code enforcement notified the applicant it did not comply with code and that he could obtain a permit through this process. .

Chair Owens made a motion to pass the fence exception and added language that would hold the applicant responsible for any damages to that part of the fence. Commissioner La Mica seconded and FE-19-02 passed.

On motion by Chair Owens, seconded by Commissioner La Mica and passed by the following vote, the Planning Commission approved FE-19-02 approving the fence exception with the added language that the applicant is responsible for any damages to that part of the fence.

APPROVED: 6-0-1, Ross absent.

8. REPORTS FROM COMMISSIONERS

Chair Owens requested staff to contact code enforcement about cars being parked over the public right of way on Del Monte Avenue. Commissioner Silva questioned the status of the Mc Donald's project to which it was reported approved by the City Council.

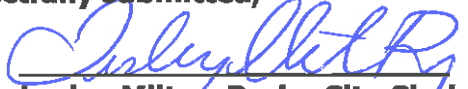
9. REPORTS FROM STAFF

Mr. Medina informed the Planning Commission of an upcoming field trip for an appeal from the Board of Architectural Review.

10. ADJOURNMENT

On motion, the meeting was adjourned.

Respectfully submitted,


Lesley Milton-Rerig, City Clerk


John Owens, Chair